



LAS ANIMAS-HUERFANO COUNTIES DISTRICT HEALTH DEPARTMENT

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<https://www.colorado.gov/la-h-health>

PUBLIC HEALTH AMENDED ORDER REGARDING THE COVID-19 PANDEMIC FOR LAS ANIMAS AND HUERFANO COUNTIES, COLORADO

Governor Jared Polis delegated state control of the COVID-19 pandemic response relating to health and safety to local governments on April 16th, 2021. Pursuant to Colorado Revised Statutes Sections 25-1-506, 508, 509 and 519 the Las Animas Huerfano Counties District Health Department have the duty to investigate and control the causes of epidemic or communicable diseases and conditions affecting public health; to establish, maintain and enforce isolation and quarantine and in conjunction therewith to exercise physical control over the property and over the persons of the people within the limits of Las Animas and Huerfano Counties; and to prohibit the gatherings of people to protect the public health as the Public Health Director may find necessary for the protection of public health. The Las Animas Huerfano Counties District Health Department (“LAHCDHD”) issues this Las Animas and Huerfano County’s Public Health Order to control the spread of COVID-19 and mitigate the effects of the disease in both Las Animas and Huerfano Counties.

FINDINGS

WHEREAS, on March 10, 2020, the Governor of Colorado declared a State of Emergency related to the presence of the Coronavirus, also known as COVID-19 in the state; and

WHEREAS, due to the imminent health and safety and economic threat to Huerfano County residents, on March 16, 2020, the Chair of the Huerfano Board of County Commissioners, Ray Garcia, signed a local disaster/emergency declaration pursuant to the authority of C.R.S. Section 24-33.5-709; and

WHEREAS, due to the imminent health and safety and economic threat to Las Animas County residents, on March 17, 2020, the Chair of the Las Animas Board of County Commissioners, Luis Lopez II, signed a local disaster/emergency declaration pursuant to the authority of C.R.S. Section 24-33.5-709; and

WHEREAS, the Governor has issued numerous Executive Orders and the Colorado Department of Public Health and Environment (“CDPHE”) has issued numerous Public Health

Orders containing directives and restrictions to reduce the spread of COVID-19; and

WHEREAS, On April 16, 2021, Public Health Order 20-36 issued by CDPHE, expired and the COVID-19 Dial became non-mandatory guidance at the State level.

WHEREAS, a modified version of the state's mask-wearing requirements as described in Executive Order D 2021 079 shall continue until May 3, 2021 and may be amended and extended; and

WHEREAS, as of April 29, 2021, Las Animas Counties seven-day incidence is 96 cases per 100,000 people, the one-week average positivity is 2.4% and the percentage of the county that is immune either from vaccination or previous COVID-19 infection is approximately 44.8%; and

WHEREAS, as of April 29, 2021, Huerfano Counties seven-day incidence is 377 cases per 100,000 people, the one-week average positivity is 6% and the percentage of the county that is immune either from vaccination or previous COVID-19 infection is approximately 41%; and

WHEREAS, the Public Health Director of LAHCDHD, upon the recommendation of the LAHCDHD Board of Health, hereby adopts the State's Public Health Orders/Guidance and Executive Orders to be used and customized as needed to reduce virus transmission in Las Animas and Huerfano County's.

ORDER

This Order Supersedes and replaces all prior Standing Public Health Orders of the Las Animas Huerfano Counties District Health Department. Pursuant to section 25-1-506 (2)(a)(I), Colorado Revised Statutes, Amended Standing Public Health Order ("Order") is effective as of 12:00 A.M. MDT May 2, 2021, within the entirety of both Las Animas and Huerfano Counties, including all municipalities within the Counties, until further modified or rescinded by future order. Where the terms of this Amended Standing Public Health Order differ from any State Public Health Orders, the more strict Order shall control. This Order adopts the definitions used in the State Public Health Orders and in particular Order 20-38 unless otherwise defined.

Pursuant to statutory authority granted to the Public Health Director of LAHCDHD and consistent with the guidance of the Governor, CDPHE and the Center for Disease Control, the following is ordered:

1. Las Animas and Huerfano County shall incorporate the State's Orders/Guidance. Executive Orders issued by the Governor and all CDPHE Public Health Orders or other CDPHE guidance documents, as may be amended or restated from time to time, are hereby adopted and

deemed incorporated in this Order as if fully set forth herein. (See Attached CDPHE Public Health Order 20-38)

2. Any organization/person(s) seeking to host an event of more than 175 people for both Indoor and Outdoor events in Las Animas or Huerfano Counties shall submit their proposed event plan to LAHCDHD for review and support.

3. Nothing in this Order prevents any individual local governmental entity, business or service provider from adopting more protective standards for the health and safety of their jurisdictions, employees, offices, businesses or customers.

4. Nothing in this Order prevents businesses or service providers from denying any or all of their services as they deem appropriate and necessary under the circumstances.

5. In light of the upcoming Summer period, all unvaccinated individuals traveling during this time are encouraged to get tested for COVID-19 before traveling and upon return and voluntarily self-quarantining per quarantine guidelines.

6. LAHCDHD is continuing to monitor the Las Animas and Huerfano Counties metrics and may adjust restrictions based on sector of transmission at any time. Should the rate of vaccination of either Las Animas or Huerfano Counties residents exceed seventy percent (70%), LAHCDHD will review this Order in an effort to lessen restrictions. Should the hospital capacity at Mt San Rafael Hospital or Spanish Peaks Regional Health Center or regional hospitals exceed eighty-five percent (85%) due to COVID-19, LAHCDHD will review this order and may impose additional restrictions as necessary to protect the county.

7. LAHCDHD recognizes the need for long-term planning for events and activities throughout the summer months. Because of the need for this consistency for event planning, this Order is in effect and will continue to be in effect until midnight Mountain time August 31, 2021, unless extended, rescinded, superseded, or amended in writing. This Order is subject to amendment at any time provided the circumstances change. LAHCDHD will review the current metrics and circumstances monthly in an effort to determine if such an amendment is necessary.

8. Anyone failing to comply with this Order may be subject to the penalties contained in Colorado Revised Statutes Sections 25-1-516 and 18-1.3-501 including a fine of up to five thousand dollars (\$5,000) and imprisonment in jail for up to eighteen (18) months. Violators may also be subject to civil penalties and remedies such as suspension or revocation of a business license.

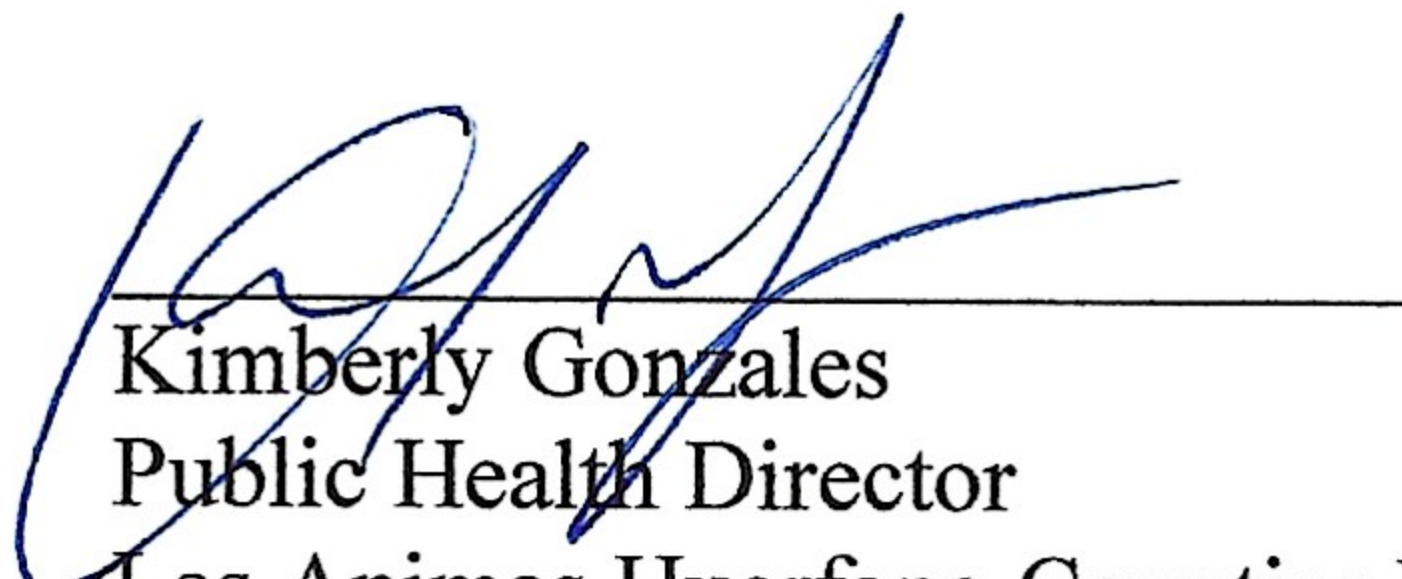
9. This Order is intended to be and shall be read and construed in harmony with and in addition to all federal, state, and local laws and orders related to COVID-19. To the extent any

federal, state or local orders or laws are more restrictive than what is set forth herein, such orders or laws control.

10. Issuance of this Order is necessary for the preservation of public health, safety and welfare.


11. If any part of this Order is deemed invalid, the remainder of the Order shall not be affected and shall continue in full force and effect.

ORDERED AND SIGNED, as the official Order of the Las Animas Huerfano Counties District Health Department on April 30, 2021.

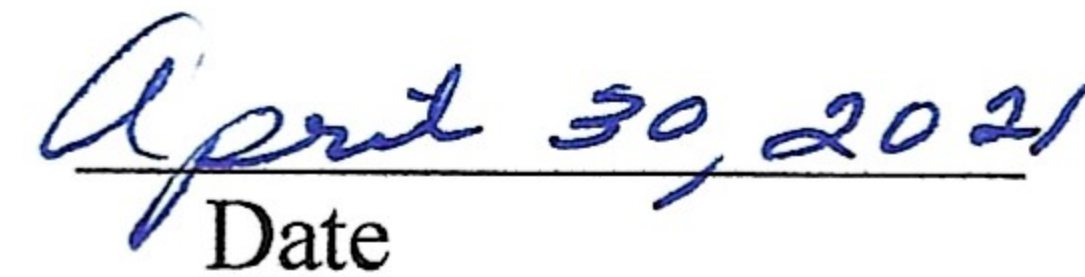


Kimberly Gonzales
Public Health Director
Las Animas Huerfano Counties District Health Department

**APPROVED BY BOARD OF HEALTH FOR THE LAS ANIMAS HUERFANO
COUNTIES DISTRICT HEALTH DEPARTMENT**



Shirley Donachy, President
LAHCDHD



Date



COLORADO

Department of Public
Health & Environment

PUBLIC HEALTH ORDER 20-38 LIMITED COVID-19 RESTRICTIONS April 15, 2021

PURPOSE OF THE ORDER

I am issuing this Public Health Order (PHO or Order) in response to the existence of thousands of confirmed and presumptive cases of Coronavirus disease 2019 (COVID-19) and related deaths across the State of Colorado. This Order supersedes PHO 20-36 COVID-19 Dial and PHO 20-29 Voluntary and Elective Surgeries and Procedures, and implements reduced restrictions for individuals, businesses and activities, as well as reporting requirements for hospitals, to prevent the spread of COVID-19 further in Colorado.

FINDINGS

1. Governor Polis issued **Executive Order D 2020 003** on March 11, 2020, declaring a disaster emergency in Colorado due to the presence of COVID-19. Since that time, the Governor has taken numerous steps to implement measures to mitigate the spread of disease within Colorado, and has further required that several public health orders be issued to implement his orders.
2. I have issued public health orders pertaining to the limitation of visitors and nonessential individuals in skilled nursing facilities, intermediate care facilities, and assisted living residences; defining the terms of the Governor's **Stay at Home, Safer at Home, and Protect our Neighbors** requirements as well as **Critical Business** designations; requiring hospitals to report information relevant to the COVID-19 response; and requiring the wearing of face coverings in the workplace and urging their use in public. These measures all act in concert to reduce the exposure of individuals to disease, and are necessary steps to protect the health and welfare of the public. Additionally, in reducing the spread of disease, these requirements help to preserve the medical resources needed for those in our communities who fall ill and require medical treatment, thus protecting both the ill patients and the healthcare workers who courageously continue to treat patients.
3. As of April 14, 2021, there have been 485,318 known cases of COVID-19 in Colorado, 26,661 Coloradans have been hospitalized and 6,319 Coloradans have died from COVID-19. Multiple sources of data show that COVID-19 transmission and the use of the hospital system due to COVID-19 have leveled off in Colorado.

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4. With the rescission of PHO 20-36 COVID-19 Dial, but the pandemic ongoing, it remains critical for individuals, communities, businesses, and governments to remain vigilant regarding the spread of COVID-19. Individuals are encouraged to remain at least 6 feet away from non-household contacts, wash their hands, and wear a face covering to reduce the likelihood of disease transmission. As we continue to combat COVID-19 in our communities, continuing some limited requirements to mitigate disease spread remain appropriate.

5. The following additional public health orders remain in effect:

- a. PHO 20-20 Requirements For Colorado Skilled Nursing Facilities, Assisted Living Residences, Intermediate Care Facilities, And Group Homes For COVID-19 Prevention And Response;
- b. PHO 20-33 Laboratory Data Reporting for COVID-19; and
- c. PHO 20-37 Vaccine Access And Data Reporting For COVID-19.

INTENT

This Order includes limited requirements for individuals and businesses to mitigate the spread of COVID-19 in Colorado. The Order incorporates the requirements of **Executive Order D 2020 138**, as amended and extended by **Executive Order D 2020 164, D 2020 190, D 2020 219, D 2020 237, D 2020 245, D 2020 276, D 2020 281, D 2021 007, D 2021 035, D 2021 056, and D 2021 079** concerning face coverings. Additionally, the Order maintains some restrictions on certain activities while we continue to take steps to limit the spread of COVID-19 in Colorado, and includes a provision that authorizes CDPHE to require a county to comply with additional restrictions should certain metrics be met. The Order also includes hospital reporting requirements regarding bed capacity to provide the State with critical information to assess the status of the COVID-19 pandemic relative to the statewide capacity to provide necessary medical care and services to Coloradans.

ORDER

This Order supersedes and replaces Public Health Orders 20-29 and 20-36, as amended, effective at 12:01 AM on Friday, April 16, 2021.

I. COVID-19 RESTRICTIONS

A. FACE COVERINGS

- 1. Face coverings are required pursuant to **Executive Order D 2020 138**, as amended and extended by **Executive Order D 2020 164, D 2020 190, D 2020**

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219, D 2020 237, D 2020 245, D 2020 276, D 2020 281, D 2021 007, D 2021 035, D 2021 056, and D 2021 079, for all individuals in the following settings:

- a. Preschool through grade 12 schools (including extracurricular activities), child care centers and services, and indoor children's camps;
 - b. Public areas of state government facilities, and areas in state government facilities where members of the public come into contact with state government employees;
 - c. Congregate care facilities, including nursing facilities, assisted living residences, intermediate care facilities, and group homes;
 - d. Prisons;
 - e. Jails;
 - f. Emergency medical and other healthcare settings (including hospitals, ambulance service centers, urgent care centers, non-ambulatory surgical structures, clinics, doctors' offices, and non-urgent care medical structures);
 - g. **Personal services;** and
 - h. **Limited healthcare settings.**
2. For counties with a one week disease incidence rate in excess of 35 per 100,000, face coverings are also required pursuant to **Executive Order D 2020 138**, as amended and extended, in a **Public Indoor Space**, as defined in **Executive Order D 2020 138**, as amended and extended, where 10 or more unvaccinated individuals or individuals of unknown vaccination status are present.
 3. Exceptions to the face covering requirements include
 - a. individuals 10 years of age or younger,
 - b. individuals who cannot medically tolerate a face covering, and
 - c. individuals participating in one of the activities described in Section II.I of **Executive Order D 2020 138**, as amended and extended.
 4. Face coverings may be removed in a school classroom setting for the limited purpose of playing an instrument that cannot otherwise be played while wearing a face covering.
 5. Nothing in this Order changes or abrogates the Centers for Disease Control and Prevention's (CDC) Order on January 29, 2021, requiring the wearing of masks by travelers to prevent the spread of COVID-19. All Coloradans must abide by the CDC's Order, which can be found at <https://www.cdc.gov/quarantine/masks/mask-travel-guidance.html>.

B. ALL BUSINESSES AND GOVERNMENT ENTITIES. All businesses and government entities shall comply with the requirements in this Section I.B.

1. **Work Accommodations.** Employers are strongly encouraged to provide reasonable work accommodations, including accommodations under the

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Americans with Disabilities Act (ADA) for individuals who cannot obtain access to COVID-19 vaccine or who for medical or other legal reasons cannot take a COVID-19 vaccine.

2. Face coverings. All employers must implement the face covering requirements in **Executive Order D 2020 138**, as amended and extended, as applicable.
3. Disease mitigation practices. Employers and sole proprietors are strongly encouraged to follow the best practices for disease mitigation found in [CDPHE Guidance](#).

C. MASS INDOOR GATHERINGS

1. In addition to the requirements in Section I.B of this Order, the requirements in this Section I.C apply to **Mass Indoor Gatherings**.
2. When more than 100 people are gathered in a room in a **Public Indoor Space**, the setting may operate at 100% capacity not to exceed 500 people, with 6 feet distancing required between parties of unvaccinated people or when vaccination status is unknown. Existing approved variances remain in effect, including 5 Star Program approvals granted by a county. Venues may apply to their local public health agency for a variance to exceed 500 people, to be finally approved by CDPHE. These requirements do not apply to the following sectors:
 - a. Places of worship and associated ceremonies,
 - b. Retail services,
 - c. Restaurants that have sit-down dining and do not have unseated areas where 100 or more people could gather (such as dance floors or common gathering areas), and
 - d. School proms and graduations that wish to exceed these thresholds shall be subject to review and approval by local public health agencies in accordance with CDPHE [prom](#) and [graduation](#) guidance.
3. Face coverings are required for all individuals in a **Mass Indoor Gathering**, except in the following circumstances:
 - a. individuals 10 years of age or younger,
 - b. individuals who cannot medically tolerate a face covering, and
 - c. individuals participating in one of the activities described in Section II.I of **Executive Order D 2020 138**, as amended and extended.

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D. OUTDOOR EVENTS

1. Outdoor ticketed, seated event venues in excess of 30,000 square feet require CDPHE approval, in consultation with the local public health agency. Existing approved variances, including 5 Star Program approvals granted by a county, remain in effect.

E. SCHOOLS AND CHILD CARE

1. **Schools** and child care shall work with their local public health agencies as COVID-19 cases occur, and shall follow the CDPHE guidance for [Cases and Outbreaks in Schools and Child Care](#).
2. **Schools** that are entirely remote learning due to ongoing COVID-19 cases and outbreaks shall not have in-person extracurricular activities.

E. ADDITIONAL COUNTY RESTRICTIONS

1. CDPHE may require counties whose resident hospitalizations threaten to exceed 85% of hospital or hospital system capacity to implement additional restrictions to mitigate disease transmission.

II. HOSPITAL FACILITY REPORTING

A. **COVID-19 Case Reporting.** All Colorado hospitals shall report to CDPHE in a form and format determined by CDPHE, certain information for all suspected (pending laboratory test) and confirmed (positive laboratory test) cases of COVID-19, including but not limited to:

1. race and ethnicity;
2. numbers of suspected and confirmed cases who are hospitalized, who are hospitalized and using a ventilator, or who are in the emergency department waiting for an inpatient bed;
3. numbers of suspected and confirmed cases who are discharged and in recovery;
4. deaths due to COVID-19; and
5. medical equipment and supply information, including but not limited to total bed and intensive care unit (ICU) bed capacity and occupancy, ventilator availability and utilization, and availability of N95 masks.

Reporting by hospitals shall be done in CDPHE's EMResource reporting system on a daily basis or as otherwise required by this Order.

B. **Hospital Bed Capacity Reporting.** All Colorado hospitals shall report to CDPHE the following in EMResource daily at 10:00 a.m.:

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1. The daily maximum number of beds that are currently or can be made available within 24 hours for patients in need of ICU level care; and
2. The daily maximum number of all staffed acute care beds, including ICU beds, available for patients in need of non-ICU hospitalization.

III. DEFINITIONS

- A. **Limited Healthcare Settings** means those locations where certain healthcare services are provided, including acupuncture (not related to personal services), athletic training (not related to personal services), audiology services, services by hearing aid providers, chiropractic care, massage therapy (not related to personal services), naturopathic care, occupational therapy services, physical therapy, and speech language pathology services.
- B. **Mass Indoor Gathering** is any indoor space where more than 100 unvaccinated individuals or individuals with unknown vaccination status are gathered in a room.
- C. **Personal Services** means services and products that are not necessary to maintain an individual's health or safety, or the sanitation or essential operation of a business or residence. **Personal Services** include, but are not limited to, personal training, dog grooming, or body art and also applies to noncritical professionals regulated by the Division of Professions and Occupations, within the Department of Regulatory Agencies (DORA) including but not limited to services provided by personal beauty professionals such as hairstylists, barbers, cosmetologists, estheticians, nail technicians, as well as massage therapists, whose work requires these professionals to be less than six feet from the person for whom the services are being provided.
- D. **Public Indoor Space** means any enclosed indoor area that is publicly or privately owned, managed, or operated to which individuals have access by right or by invitation, expressed or implied, and that is accessible to the public, serves as a place of employment, or is an entity providing services. **Public Indoor Space** does not mean a person's residence, including a room in a motel or hotel or a residential room for students at an educational facility.
- E. **School** means pre-kindergarten through 12th grade. A school includes all grade levels contained in a building or multiple buildings on a campus.

IV. ENFORCEMENT

This Order will be enforced by all appropriate legal means. Local authorities are encouraged to determine the best course of action to encourage maximum compliance. Failure to comply with

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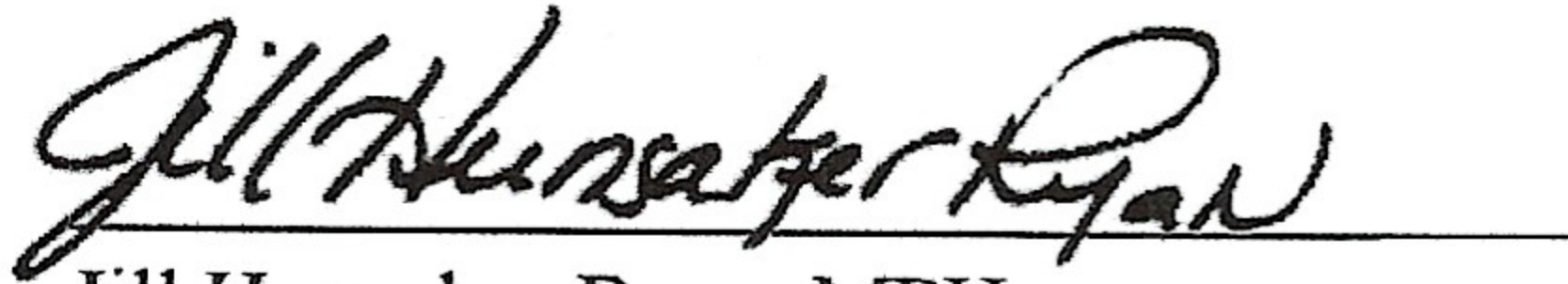
this order could result in penalties, including jail time, and fines, and may also be subject to discipline on a professional license based upon the applicable practice act.

V. SEVERABILITY

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

VI. DURATION

This Order shall become effective at 12:01 AM on Friday, April 16, 2021 and will expire in 30 days unless extended, rescinded, superseded, or amended in writing.



Jill Hunsaker Ryan, MPH
Executive Director

April 15, 2021

Date